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IN THE UNITED STATES DISTRICT COURT
 FOR THE
 NORTHERN MARIANA ISLANDS

LI YING HUA, LI ZHENG ZHE and XU JING JI,) CASE NO. CV 05-0019

Plaintiffs,)

vs.)

JUNG JIN CORPORATION, a CNMI corporation,)
 ASIA ENTERPRISES, INC., a CNMI corporation,)
 PARK HWA SUN, KIM HANG KWON,)
 KSK CORPORATION, a CNMI corporation, and)
 KIM KI SUNG,)

Defendants.)

MOTION TO AFFIRM
 SUMMARY JUDGMENT
 AGAINST ORIGINAL DEFENDANTS

Date: July 17, 2008
 Time: 8:30 a.m.
 Judge: Hon. Alex R. Munson

PLEASE TAKE NOTICE THAT Plaintiffs Li Ying Hua, Li Zheng Zhe and Xu Jing Ji, the Plaintiffs, by and through their attorney, do hereby move to have this Court affirm the Courts' prior Judgment against Defendants Jung Jin Corporation, Asia Enterprises, Inc., Kim Hang Kwon and Park Hwa Sun.¹

¹ Summary judgment was granted against said defendants on August 14, 2006. Doc. # 87. On August 24, 2006, the Court then entered a Judgment against said defendants. Doc. # 93. Because KSK Corporation and Kim Ki Sung were added as defendants subsequent to the Judgment, and Plaintiffs are seeking to impose liability for the judgment on these new defendants, KSK Corporation and Kim Ki Sung should be provided a full and air opportunity to defend the claims. See, e.g., 6 WRIGHT & MILLER, FEDERAL PRACTICE AND PROCEDURE (SECOND) § 1489 (2006 update) ("The amendment of a judgment to add a party defendant cannot be done without affording the

1 This Motion is brought pursuant to Rule 56 of the Federal Rules of Civil Procedure and is
2 supported by the Memorandum filed on July 15, 2006 (Docket # 75) and these documents on file
3 in this matter:

4 1. Plaintiffs' Proposed Findings of Uncontroverted Fact filed July 15, 2006, Doc. ## 76 and
5 77 (Errata with exhibits);

6 2. Declaration of Plaintiff Li Ying Hua filed April 21, 2006, Doc. # 35;

7 3. Declaration of Plaintiff Xu Jing Ji filed April 21, 2006, Doc. # 36;

8 4. Declaration of Plaintiff Li Zheng Zhe filed April 21, 2006, Doc. # 37;

9 5. Declaration of Counsel for Plaintiffs filed April 21, 2006, Doc. # 34;

10 6. Transcript of Deposition of Jung Jin Corporation, Doc. # 67;

11 7. Transcript of Deposition of Asia Enterprises, Inc., Doc. # 68;

12 8. Transcript of Deposition of Cindy Yu, Doc. # 69;

13 9. Transcript of Deposition of Kim Ki Sung, Doc. # 70;

14 10. Transcript of Deposition of Pil Sun Kim Kitami, Doc. # 71;

15 11. Affidavit of Stephen J. Nutting in Support of Motion to Withdraw filed February 3, 2006,
16 Doc. # 25;

17 12. Answer to Plaintiff Li Ying Hua's First Interrogatories to Defendants, Doc. # 72;

18 13. Answer to Plaintiff Xu Jing Ji's First Interrogatories to Defendants, Doc. # 73;

19 14. Answer to Plaintiff Li Zheng Zhe's First Interrogatories to Defendants, Doc. # 74;

20 15. Plaintiffs' Verified Complaint for Violations of the Fair Labor Standards Act and
21 Supplemental State Law Claims filed June 23, 2005, Doc. # 1;

22 _____
23 individual a full opportunity to defend the claims presented," discussing *Nelson v. Adams*, 120 S.Ct.
24 1579, 529 U.S. 460, 146 L.Ed.2d 530. (2000)). Accordingly, Plaintiffs are moving hereby to affirm,
25 on the merits, the summary judgment granted by the Court on August 14, 2006. Plaintiffs have
26 submitted a separate motion for summary judgment on the successor liability, alter ego and
fraudulent transfer claims against KSK Corporation and Kim Ki Sung.

1 16. Plaintiffs' First Amended Verified Complaint for Violations of the Fair Labor Standards
2 Act and Supplemental State Law Claims filed May 18, 2006, Doc. # 45;

3 17. Defendants' Verified Answer to Verified Complaint for Violations of the Fair Labor
4 Standards Act and Supplemental State Law Claims filed on July 12, 2005, Doc. # 6;

5 18. Order After Settlement Conference (1) Admonishing Individual Defendants; (2) Entering
6 Default Against Corporate Defendants; and (3) Granting Motion to File Amended Complaint
7 entered May 12, 2006, Doc. # 43;

8 19. Defendants' Pre-Discovery Disclosure Statement filed October 19, 2005, Doc. # 14;

9 20. All other pleadings and records on file in this matter.

10 For the reasons stated in the Memorandum submitted in support hereof, and having given
11 Defendants an opportunity to defend the underlying liability in this case, Plaintiffs respectfully
12 request that the Court affirm its August 14, 2006 grant of Plaintiffs' Motion for Summary Judgment.

13
14 A hearing will be held on this motion on Thursday, July 17, 2008 at 8:30 a.m. or a soon
15 thereafter as the Court can hear the Motion in the above-entitled court located at the First Floor,
16 Horiguchi Building, Garapan, Saipan, Commonwealth of the Northern Mariana Islands.

17
18 Respectfully submitted this 19th day of June, 2008.

19 /s/ Mark B. Hanson

20 _____
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Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing will be deposited in the United States Post Office, first class mail, postage prepaid, addressed to the following:

Jung Jin Corporation
P.O. Box 503428
Saipan, MP 96950
(670) 235-4321

Park Hwa Sun
P.O. Box 503428
Saipan, MP 96950
(670) 235-4321

Asia Enterprises Inc.
P.O. Box 503448
Saipan, MP 96950
(670) 235-4321

Kim Hang Kwon
P.O. Box 503448
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(670) 235-4321

I further certify that the following were served with a copy of the foregoing via the Court's electronic case filing system and via e-mail:

G. Anthony Long, Esq.
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DATED: June 19, 2008

/s/ Mark B. Hanson

MARK B. HANSON